

REMARKS

Claims 5, 6 and 8 are pending in the present application. Claims 5, 6 and 8 are rejected.

Claims 5 and 8 are herein amended. Claim 6 is herein canceled.

Claim Rejections under 35 U.S.C. 102

Claims 5 and 6 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,057,161 to Nau. Claim 8 is rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,888,250 to Hill. Claim 8 is rejected under 35 U.S.C. §103(a) as being anticipated by Hill in view of Nau.

Applicants note that the present specification on page 4, paragraph 2 specifies that the body fluid may be selected from the group consisting of blood, plasma, serum, ascites, lymph, arthral fluid, cerebrospinal fluid and fragments obtained therefrom. Therefore, there is support to add this limitation to specifically recite the potential body fluids, which effectively excludes urine.

Applicants further amend the claims to differentiate the material being removed by the present invention (endogenous cannabinoids) with material contemplated to be removed by Nau (TLC, a cannabinoid). Applicants note in the specification on page one that the contemplated endogenous cannabinoids are anandamide and 2-arachidonoylglycerol. Applicants therefore herein clarify the claim language from “endogenous cannabinoid” to “endogenous anandamide or endogenous 2-arachidonoylglycerol”. Applicants submit that although both the claimed anandamide and 2-arachidonoylglycerol are referred to as “endogenous cannabinoid” and the metabolites of TLC as envisioned in Nau are considered “cannabinoids”, the materials are clearly different. The structure of anandamide, 2-arachidonoylglycerol and Δ -THC are enclosed for

reference. As can be easily seen, neither anandamide nor 2-arachidonoylglycerol have an aromatic ring or phenolic OH and clearly have a structure different from THC.

Applicants also submit the definition of “endogenous” and note that it is defined as “produced or growing from within; originating or produced within an organism”. Applicants note that Nau is directed to removing drugs of abuse from a body, which are not by definition “endogenous”.

To further clarify the steps of claim 8, Applicants herein add the initial step of “identifying a living body that either has or may be in danger of imminently having undesirably elevated levels of endogenous anandamide or endogenous 2-arachidonoylglycerol”. This should clearly differentiate the process of claim 8 from the alleged combinations of the cited references.

In view of the above amendments, Applicants submit that that claim 8 should be allowable over the cited references, because one skilled in the art would not have used Nau as a teaching for removing anandamide and 2-arachidonoylglycerol from a body fluid and returning the fluid to the body.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that that the claims, as herein presented, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants’ undersigned attorney to arrange for an interview to expedite the disposition of this case.

Preliminary Amendment under 37 C.F.R. §1.114
Attorney Docket No. 011284
Serial No. 09/961,265

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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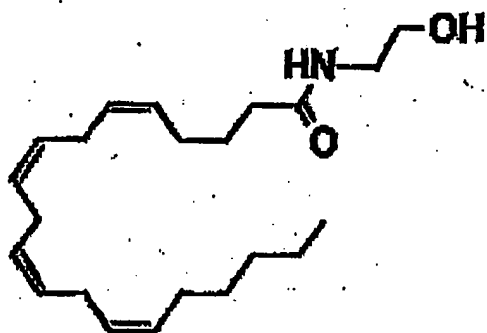
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Enclosure: Structures of anandamide, 2-arachidonoylglycerol and Δ -THC

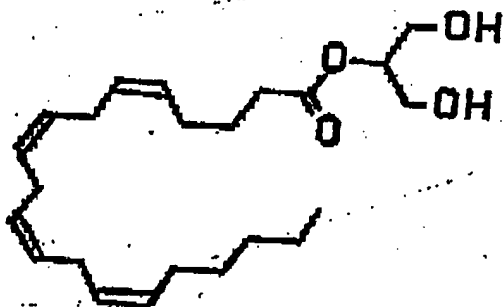
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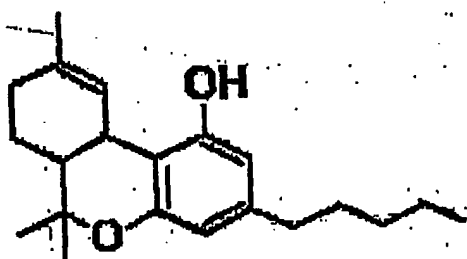
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Anandamide



2-Arachidonoylglycerol



Δ9-THC

Chemical Structure of Anandamide, 2-Arachidonoylglycerol and Δ9-THC.